

condition monitor. A data server is in communication with the on-vehicle unit. The data server includes a server communicator that receives the vehicle condition data sent from the on-vehicle communicator. A storage section is provided for storing the vehicle condition data and an abnormality determining section is provided for determining whether an abnormality has occurred in the vehicle, based on the vehicle condition data stored in the storage section, and for outputting an abnormality informing signal when the abnormality has occurred in the vehicle.

Claim 8 recites a vehicle monitoring system having an on-vehicle unit provided in a vehicle and a data server for communicating with the on-vehicle unit. The on-vehicle unit includes a vehicle condition monitor for monitoring a condition of the vehicle and outputting vehicle condition data, and an on-vehicle communicator for sending the vehicle condition data output from the vehicle condition monitor to the data server. The data server includes a server communicator that receives the vehicle condition data sent from the on-vehicle communicator. A storage section stores the vehicle condition data received by the server communicator and an abnormality determining section determines whether an abnormality has occurred in the vehicle, based on the vehicle condition data stored in the storage section, and for outputting an abnormality informing signal when the abnormality has occurred in the vehicle.

Claim 13 recites a vehicle monitoring system having an on-vehicle unit provided in a vehicle and a data server for communicating with the on-vehicle unit. The on-vehicle unit includes a vehicle condition monitor for monitoring a condition of the vehicle and outputting vehicle condition data and a storage section for storing the vehicle

condition data output from the vehicle condition monitor. An abnormality determining section is provided for determining whether an abnormality has occurred in the vehicle, based on the vehicle condition data stored in the storage section, and for outputting an abnormality informing signal when the abnormality has occurred in the vehicle. An on-vehicle communicator sends the abnormality informing signal output from the abnormality determining section to the data server. The data server includes a server communicator that receives the vehicle condition data sent from the on-vehicle communicator.

The Office Action took the position that Joao discloses all of the elements of the claimed invention. However, it is respectfully submitted that the prior art fails to disclose or suggest the structure of the claimed invention, and therefore, fails to provide the advantages that are provided by the present invention. For example, in the present invention, an abnormality determining section is provided for determining whether an abnormality has occurred in the vehicle, based on the vehicle condition data stored in the storage section, and for outputting an abnormality informing signal when the abnormality has occurred in the vehicle. As discussed in Applicants' specification generally at page 6, this configuration allows user, even if he is remote from the vehicle, to reliably know the abnormality of the vehicle and to resolve the abnormality.

Joao discloses a control apparatus for a vehicle comprising a transmitter system for transmitting a signal over a communication system upon activation by the owner of a motor vehicle or the like. The transmitter consists of a user interface device and a receiver. The transmitter system is a remote system that is not located in the vehicle,

but rather is located external from or separate from the vehicle. A CPU is connected with the receiver for receiving the signals generated by the receiver. The CPU also has associated therewith ROM and RAM devices. The CPU may also have a transmitter for transmitting signals to the transmitter/receiver. In this manner, the CPU may respond to a user data transmissions, commands, or inquiries. The CPU can be electrically connected or linked to various systems of a motor vehicle. When used in conjunction with the apparatus, each of the vehicle equipment systems may be activated, deactivated, reset or in some other way controlled and/or monitored by the apparatus. Additionally, an arming device and an activation device may be utilized in conjunction with the apparatus in place of the transmitter/receiver combination so as to provide an automatic monitoring and/or activation of the apparatus. Automatic activation may also be programmed by the user or operator via command codes with apparatus operation activated upon the occurrence, or lack thereof of a specified event.

However, although Joao discloses a remote vehicle monitoring system, it appears that Joao fails to disclose or suggest an abnormality determining section for determining whether an abnormality has occurred in the vehicle, based on the vehicle condition data stored in the storage section, and for outputting an abnormality informing signal when the abnormality has occurred in the vehicle, as recited in claims 1, 8 and 13. Applicants have reviewed the sections cited by the Examiner and are unable to find any such disclosure. Additionally, Joao further fails to disclose that the storage section and the abnormality determining section are provided in the data server as recited in claim 3, or a driver for driving a part of the vehicle as recited in claims 6, 11, and 16.

Additionally, regarding claims 5-7, 8-12 and 13-17, the Office Action has not specifically pointed out which features in Joao anticipate the claimed subject matter. Therefore, Applicants respectfully request that the Examiner set forth which elements of Joao represent the claimed limitations.

As claims 2, 4, 5 and 7 depend from claim 1, claims 9, 10 and 12 depend from claim 8 and claims 14, 15 and 17 depend from claim 13, Applicants submit that each of these claims recite subject matter which is neither disclosed nor suggested by the prior art, for at least the same reasons set forth with respect to claims 1, 8 and 13.

Thus, Applicants respectfully submit that Joao fails disclose or suggest the present invention. Therefore, Applicants respectfully request that the rejection be withdrawn.

In view of the foregoing, reconsideration of the application, withdrawal of the outstanding rejections, allowance of claims 1-17, and the prompt issuance of a Notice of Allowability are respectfully solicited.

Should the Examiner believe anything further is desirable in order to place this application in better condition for allowance, the Examiner is requested to contact the undersigned at the telephone listed below.

U. S. Patent Application No. 09/804,184

In the event this paper is not considered to be timely filed, the Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to counsel's Deposit Account No. 01-2300, **referencing docket number 107439-00034.**

Respectfully submitted,
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